

ETHYL GASOLINE CORPORATION

25 BROADWAY

NEW YORK

IN REPLY PLEASE REFER TO

E.W. Webb

April 12, 1927

Dr. Robert A. Kehoe
College of Medicine
Eden & Bethesda Aves.
Cincinnati, Ohio

Dear Dr. Kehoe:-

[REDACTED] has sued the Standard Oil Company, claiming to have been permanently injured as the result of the Bayway trouble. It is the only suit now pending and since it has been brought in the federal court it cannot, so I am advised, be reached for trial until next fall. This man is a brother of Dr. Callis, who was and still is, a chemist connected with Mr. Howard's laboratory at Bayway, but for some reason unknown this man, [REDACTED], has not been at all friendly, even before he instituted his suit.

His attorney is a Mr. Brown, who appeared as the attorney in a number of other suits, some of which were settled for fairly substantial sums. This information was, of course, passed on to [REDACTED] and through Mr. Brown he recently presented as his rock bottom figure a settlement for \$20,000. When the matter was recently submitted to me for my view as to what should be done I wrote Mr. Howard, as per enclosed copy.

As the result of my letter, Mr. Brown has arranged for Mr. [REDACTED] to be examined by you on Friday or Saturday of this week. I was pleased to get your telegram last night that you could make the examination on Saturday, and Mr. Brown was accordingly advised this morning. I understand Hanson, Kentucky, where [REDACTED] is living, is a very small place and no street address is deemed necessary to be given to locate him. However, it might be well for you to let me know by wire when your train will arrive in Hanson so that Mr. Brown may be informed and pass the word on to [REDACTED].

I didn't know when I wrote my letter of March 29th to Mr. Howard whether you would care to have one of your associates accompany you or not, and I don't know whether [REDACTED] expects us to have two doctors present. However, you can handle this in whatever way seems to you the most suitable. I feel sure that if for any reason you would like to take one of your assistants along with you there will be no objection on Mr. [REDACTED] part. However, if there should be, the assistant could simply absent himself from the examination and you could go on with it alone.

RE 0017485

April 12, 1927

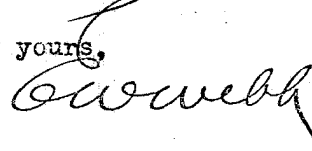
Enclosed is the history of [REDACTED], as obtained from the files of the Standard.

I would not be at all surprised if Mr. [REDACTED] should attempt to construct, in theory at least, a formidable case. He naturally realizes that it is up to him to put his best foot forward in respect to his alleged disability, as well as his symptoms. He naturally expects us to base, to some extent at least, our counter offer upon the impression that he makes by reason of this examination.

Obviously, we are anxious for you to get as much information as to his history as you can obtain, as we purpose checking up on any of his statements relative to employment, etc., since leaving the Standard Oil Company. In this connection we, of course, would like to have you get from him any information as to any treatment, giving the name of the doctor, etc., for follow-up purposes.

With kindest regards, I am

Sincerely yours,



EWV/T
Enc.

KE 0017486

COPY

March 29, 1927

E.W. Webb

[REDACTED] vs. Standard

Mr. Frank A. Howard,
Standard Development Company
26 Broadway
New York, N.Y.

Dear Mr. Howard:-

I think we should not make any counter-offer to that made by Mr. Brown, referred to in the letter of Mr. Faulks' dated the 23rd inst., until we know more about [REDACTED]

It may be one of those cases, particularly in view of the fact that it is the only one pending, which will have to be taken to the courthouse steps to bring home to Mr. [REDACTED] that there must be at least some basis for substantial settlement.

Despite some large sums that have been paid to people whom [REDACTED] realizes perhaps were not injured more than he, nevertheless, I think it would be evidence of supreme weakness on our part if we made a counter-offer of a substantial sum, say \$7,500 or \$10,000, without taking the pains to find out more about him.

I would like to suggest that Mr. Brown be informed that we will not make any offer until we have had a physical examination of his client. If he will consent to such examination I think it could be conveniently arranged for Dr. Kehoe and perhaps an associate to go to Kentucky from Cincinnati over one of the weekends between now and May 14th. If such examination is made it will be likely that [REDACTED] in his history will give us some data upon which further investigation might be made as to his activities since leaving your employ in August 1925.

I am returning Mr. Faulks' letter addressed to Mr. Johnson of the 23rd inst. but am keeping the history record of [REDACTED] which was attached to the letter, for future reference, which I hope is agreeable to you.

Yours very truly,

CH

KE 0017487

N21075.01

- [REDACTED]
1. Employed September 19, 1924 as a Specialty Plant Helper at a rate of 85-1/8¢ per hour. He continued in the Ethyl Plant until he went out sick, which first took place on October 28, 1924. On that date he was sent to the Reconstruction Hospital in the afternoon. His service record at Bayway Refinery shows he was married; age 24 years; high school education.
 2. Absent from October 28, 1924 to December 1, 1924; on January 10th and 11th, 1925; and on January 21, 1925. He therefore lost 32 shifts and 38 calendar days of disability. The total amount of benefits paid during temporary total disability amounted to \$237.12 and in addition there was paid a differential during the time this man was on certified temporary partial disability.
 3. The Ethyl Plant was closed on Saturday, October 25, 1924 and on October 28th with others he was sent to the Reconstruction Hospital. He was discharged from Reconstruction Hospital on November 14th with orders to return for reexamination on November 19th.
 4. On November 19th Dr. Sinclair reported - "Sleeps about 4 hours daily; bowels regular; appetite fair." On this same day the Reconstruction Hospital reported that it would be advisable for him to undertake some light work, the same as in the Fuller case.
 5. On November 20th Dr. Lowe reported - "Nausea; sleeps poorly; nervous and poor appetite. To report to Reconstruction on December 3, 1924".
 6. On November 25th Dr. Lowe reported - "Don't sleep; throat sore; no congestion."
 7. Resumed half days on light work on December 2nd.
 8. Out half day January 10th; cause unknown.
 9. On January 12th Dr. Lowe reported - "Does not sleep well; three or four hours a night; occasional headaches."
 10. On January 21 Dr. Lowe reported - "Out again account of epistaxis. Claims spits up blood at times; given a sputum cup."
 11. Examined February 3, 1925 at which time "blood pressure was 120/80; pulse 80; appetite good; has gained 15 lbs. since leaving hospital." Ordered to resume regular duties.
 12. Sputum reported negative by Board of Health on February 4, 1925.
 13. On February 26th seen by Drs. Denno and Thompson at which time his blood pressure was 160/90; weight 188 lbs.; temperature normal. Drs. Denno and Thompson felt that this man should be continued on light duties until further notice.
 14. On March 23rd he had gained 3 1/2 lbs., then weighing 191-1/2 lbs; complained of occasional nose bleeds; blood pressure then 150/80; slight tremor; no vertigo; occasional headaches; pulse rapid (100) but always nervous under examination; temperature normal; complains of cough; physical findings not distinctive; given another sputum cup.

KE 0017488

N21075.02

15. On April 1st Dr. Lowe reports - "This man shows continued improvement; pulse 84; temperature normal; no vertigo; tongue clean; blood pressure 120/70. It is suggested period of partial disability cease; that is to say, that he be returned to full duties.
16. On April 3rd Dr. Lowe reports - "Specimen of sputum sent to Elizabeth Board of Health". On 4/2/25 reported as negative for tuberculosis.
17. On April 23rd was approved for regular work by Dr. Denno.
18. On August 14, 1925 left the employ of the Company with Fahey.

CONCLUSION: After reviewing the above facts in this case, Dr. Denno is of the opinion that Callis has little, if any, permanent disability. However, in view of his history, it would seem that possibly his claim has more merit than that of Fuller. This decision is arrived at in view of the fact that the Reconstruction Hospital never made the definite statement that this man was symptom free; the further fact that his visits from time to time to the Company Doctor showed complaints directly referable to lead poisoning; and further because at Dr. Denno's examination on February 26, 1925 he was not considered ready for full duties.